

REMARKS

This Amendment is submitted in reply to the Fourth Office Action dated December 20, 2006. Applicants respectfully request reconsideration and further examination of the patent application under 37 C.F.R. § 1.111.

Summary of the Examiner's Rejections

Claims 17, 20-21 and 26-27 were rejected under 35 U.S.C. 103(a) as being unpatentable over Janssen (US 6,461,709) in view of Lidgard (US 3,805,473).

Summary of Amendment

Applicants have amended Claims 17 and 26-27 and added new Claims 28-29.

Remarks regarding § 103(a) rejections

Applicants respectfully submit that amended independent Claims 17 and 26-27 are not taught by Janssen and Lidgard or any combination thereof. The amended independent Claims 17 and 26-27 recite the following:

17. A container for holding a plurality of glass sheets, said container comprising:
a first side including a door;
an opposing second side;
two additional sides;
a top; and
a bottom all of which enclose said glass sheets, each glass sheet includes:
a top surface coated with a removable top protective film; and
a bottom surface coated with a removable bottom protective film, wherein the glass sheets are stacked next to one another such that the top protective film of one glass sheet is adjacent to the bottom protective film of another glass sheet, wherein the top protective film and bottom protective film on each glass sheet have regular patterned embossed features therein, wherein the regular patterned embossed features on the top protective film have a different shape or are located in a different position than the regular patterned embossed features on the bottom protective film which make it easier to separate one glass sheet from another glass sheet because of the presence of air pockets caused by the regular patterned embossed features located between said stacked glass sheets (emphasis on main distinguishing limitations).

26. A container for holding a plurality of glass sheets, said container comprising:
a first side including a door;
an opposing second side;
two additional sides;
a top; and
a bottom all of which enclose said glass sheets, each glass sheet includes:
a top surface coated with a removable top protective film; and

a bottom surface coated with a removable bottom protective film, wherein the glass sheets are stacked next to one another such that the top protective film of one glass sheet is adjacent to the bottom protective film of another glass sheet, wherein the top protective film and the bottom protective film on each glass sheet have embossed features therein, wherein the embossed features on the top protective film have a different shape or are located in a different position than the embossed features on the bottom protective film which make it easier to separate one glass sheet from another glass sheet because of the presence of air pockets caused by the embossed features located between said stacked glass sheets (emphasis on main distinguishing limitations).

27. A container for holding a plurality of glass sheets, said container comprising:
a first side including a door;
an opposing second side;
two additional sides;
a top; and
a bottom all of which enclose said glass sheets, each glass sheet includes:

a top surface coated with a removable top protective film; and

a bottom surface coated with a removable bottom protective film, wherein the glass sheets are stacked next to one another such that the top protective film of one glass sheet is adjacent to the bottom protective film of another glass sheet, wherein the top protective film on each glass sheet has embossed features therein and the bottom protective film on each glass sheet does not have embossed features therein, wherein the presence of embossed features in the top protective film causes air pockets between the stacked glass sheets which makes it easier to separate one glass sheet from another glass sheet (emphasis on main distinguishing limitations).

The teachings of Janssen and Lidgard differ significantly from the present invention recited in amended independent Claims 17 and Claims 26-27. The independent Claims 17 and 26-27 have been amended to now recite a "container which has a door" wherein now when the door is in an open position then the glass sheets can be placed and stacked next to one another within an interior space defined by the second side, the two additional sides, the top and the bottom and when the door is in a closed position then the glass sheets are enclosed within the interior space defined by the first side including the door, the second side, the two additional sides, the top and the bottom (e.g., see FIGS. 1D, 2D and 3D in which the door is shown in the open position and once the glass sheets are placed and stacked then the door can be placed in a closed position to enclose and hold the stacked glass sheets). Applicants respectfully submit that Lidgard does not teach or suggest the claimed container which has the first side including a door, the second side, the two additional sides, the top and the bottom all of which enclose the coated glass sheets. Instead, Lidgard discloses a method for packaging a stack of flat articles 10 by wrapping a shrinkable material 12 over the top, sides and bottom side edges of the stack of flat articles 10 and then shrinking (e.g., via heat) the shrinkable material 12 to form a tightly bound package in which only the bottom edges 18 of the stacked flat articles 10 are unwrapped but the bottom edges of the shrinkable material at 12a will shrink in to firmly bind the edges of the stacked flat articles 10. In one embodiment, Lidgard discloses the following:

FIGS. 1 and 2 illustrate a simplified method of packaging a stack of flat articles 10 such as plate glass and the like, wherein the top, sides and bottom side edges of the stack of articles are enveloped in a layer of shrinkable material 12. The material 12 is wrapped over the ends of the articles 10 preferably as shown at 14, the excess material being folded together as at 16, and subsequently may be folded down over the ends and preferably secured to provide multiple layers at the ends of the stack of flat articles 10, which will tend to resist endwise pantograph-type of displacement of the articles 10 with respect to each other. The shrinkable material is subsequently shrunk over the stack of articles 10 to form a substantially tightly bound package having only the bottom edges 18 unwrapped, but the bottom edges of the material at 12a will shrink in to firmly bind the edges to the article 10. In some cases, this packaging may be all that is needed, but in other cases this will merely be a first step in providing a more complete package, in which event it may be desirable to trim off the excess material 16 at the ends, and also to seal or otherwise secure the edges together along the top (see col. 4, line 63-col. 5, line 17).

As can be seen, Lidgard discloses the use of a shrinkable wrapping material 12 to tightly package the stack of flat articles 10. Applicants respectfully submit that Lidgard does not disclose or suggest a container which has a door such that now when the door is in an open position then the glass sheets can be placed and stacked next to one another and when the door is in a closed position then the stacked glass sheets are enclosed (e.g., compare FIGS. 1D, 2D and 3D in the pending patent application to FIGS. 1-54 in Lidgard). In fact, Lidgard does not need and would not use a door in the first place since it is not possible to place and stack the flat articles 10 within the wrapping material 12 because the wrapping material 12 itself needs to be wrapped around the previously stacked flat articles 10. Plus, Lidgard does not need and would not use a door because when a person wants to remove the stacked flat articles 10 they need to cut the heat-shrunk wrapping material 12 before they could remove the flat articles 10. Janssen does not cure this defect. In view of at least the foregoing remarks, Applicants respectfully submit that amended independent Claims 17 and 26-27 and the associated dependent Claims 20-21 and 28-30 are patentable over Janssen and Lidgard, individually or in any combination suggested in the Examiner's rejections.

Moreover, the Examiner indicated that Janssen does not disclose multiple glass sheets stacked next to one another in a container (see page 3 in the Office Action). Applicants agree with this statement and further contend that there is no motivation for combining Janssen and Lidgard since Janssen does not disclose or suggest the stacking of protected glass sheets in the first place let alone for the purposes of protecting the glass sheets during any storage, handling or shipping operations. Basically, Janssen discloses where the transparent sheets are applied to windows which are already installed in for example public transportation vehicles such as buses or subway trains (see col. 1, lines 20-23). In particular, Janssen discloses where the transparent stack can be applied to the interior window of a bus or train to protect the window and as the topmost transparent sheet is damaged by a graffiti artist that damaged topmost sheet can be removed by trained maintenance personnel to reveal a clean undamaged sheet below (see col. 3, lines 32-36). Thus, Janssen does not disclose the stacking of protected sheets but instead discloses where one protects a single glass sheet (already installed within for example a bus or subway train) by applying a removable stack of

fresh transparent sheets to one or both sides thereof such that after one of the transparent sheets is damaged (by a graffiti artist) it can be removed to expose a non-damaged transparent sheet. Plus, Lidgard does not disclose or suggest the stacking of protected glass sheets within a container. Accordingly, Applicants respectfully submit that the Examiners motivation for combining Janssen and Lidgard to read on the claimed container is not supported by Janssen and Lidgard and instead appears to be supported by the improper use of hindsight given the manifest differences between Janssen and Lidgard when compared to the claimed invention. In view of at least the foregoing remarks, Applicants respectfully submit that amended independent Claims 17 and 26-27 and the associated dependent Claims 20-21 and 28-30 are patentable over Janssen and Lidgard, individually or in any combination suggested in the Examiner's rejections.

Conclusion

Applicants respectfully submit that all of the stated grounds of the rejections have been properly traversed, accommodated, or rendered moot. Accordingly, Applicants respectfully request reconsideration of all outstanding rejections and allowance of pending Claims 1, 20-21, 26-29.

Applicants have used a credit card to pay the \$ 1120.00 fee for the 3-month extension of time and the addition of two dependent Claims 28-29. If this is incorrect, the Commissioner is authorized to charge any fees which may be required for this paper to Deposit Account No. 50-1481.

Respectfully submitted,
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